IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

WP(C).No. 12387 of 2007(Y)

PETITIONER:

GRACY, AGED 42, W/O JAYARAJ,
GRACY HOUSE, NADUVETTUVILA, MADOORKOLLA P.O,
AMARAVILA, THIRUVANANTHAPURAM.

BY ADV. SRI.R.T.PRADEEP
SRI.V.VIJULAL

RESPONDENTS:

1. VIJAYA BANK REPRESENTED BY THE MANAGER,
SASTHAMANGALAM BRANCH, T.C.9/1494, AKSHAYA TOWERS
SASTHAMANGALAM JUNCTION, THIRUVANANTHAPURAM-10.

2. CENTRAL BUREAU OF INVESTIGATION,
REPRESENTED BY ITS SUPERINTENDENT, OFFICE OF
C.B.I. ERNAKULAM.

3. JAYARAJ G, GRACY HOUSE,
NADUVETTUVILA, NADOORKOLLA P.O., AMARAVILA,
THRUVANANTHAPURAM.

4. N.JAYARAJ, RAJ BHAVAN,
KARODE, KARUMARAM, KAKKAVILA,
THIRUVANANTHAPURAM.

BY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/05/2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P(C).No. 12387/07

APPENDIX

PETITIONER'S EXHIBITS:

P1. COPY OF THE APPLICATION BY R1 BEFORE C.J.M. COURT, TRIVANDRUM.

P2. COPY OF THE ORDER DTD. 16.1.2006 IN CMP NO.4441/06 OF CJM, TRIVANDRUM.

///True copy///

P.A. to Judge.

S.SIRI JAGAN, J.

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W.P.(C).No.12387 of 2007

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Dated this the 23rd day of May, 2007

J U D G M E N T

I had admitted this writ petition and granted interim order solely on the undertaking of the petitioner that the entire amounts due would be paid within one month. Now the petitioner has filed an I.A. seeking extension of time for payment by three months. Since the writ petition was admitted on the specific undertaking by the petitioner, I am not either inclined to extend the time or to entertain this writ petition. The liability to pay the amount is not in dispute. As such, the 1st respondent bank is certainly entitled to proceed against the petitioner's property for realisation of the amounts admittedly due. Therefore, there is no merit in the writ petition and accordingly the same is dismissed.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.